

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZAIRE FAULKNER,

Defendant.

Case No. 2:22-cr-20074-2

HONORABLE STEPHEN J. MURPHY, III

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ORDER ADOPTING REPORT AND RECOMMENDATION [171]

Defendant Zaire Faulkner was indicted for conspiracy to distribute fentanyl. ECF 157 (second superseding indictment). He voluntarily consented to a plea hearing before a United States Magistrate Judge. ECF 166, PgID 740. Defendant appeared for a plea hearing before Magistrate Judge Kimberly G. Altman and pleaded guilty to conspiracy to distribute fentanyl. ECF 168; 170.

Judge Altman filed a report and recommendation. ECF 171. She found that Defendant was competent to enter a guilty plea and that he did so “knowingly, intelligently, and voluntarily, without coercion.” *Id.* at 765. She also found “that the offense to which Defendant pleaded guilty is supported by an independent basis in fact containing each of the essential elements of the offense.” *Id.* Based on her findings, Judge Altman recommended that “Defendant’s plea be accepted, Defendant be adjudged guilty[,] and the Court impose sentence.” *Id.* at 766. No party objected to the report and recommendation. *See id.* (quoting Fed. R. Civ. P. 72(b)(2)).

After a careful review of the record, the plea agreement, ECF 170, and Judge Altman's report and recommendation, ECF 171, the Court finds that Judge Altman's conclusions are factually based and legally sound. Accordingly, the Court will adopt the findings of the report and recommendation and proceed to sentencing, which is set for August 17, 2023 at 10:30 a.m. in Courtroom 216.

WHEREFORE, it is hereby **ORDERED** that the Court **ADOPTS** the findings of the report and recommendation [171].

IT IS FURTHER ORDERED that the Court **ACCEPTS** Defendant's plea of guilt [170] and finds Defendant **GUILTY** of the offenses to which he pled.

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: April 26, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 26, 2023, by electronic and/or ordinary mail.

s/ David P. Parker
Case Manager